

1 HON. BARBARA J. ROTHSTEIN  
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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

HTP, INC., a Washington corporation,

Plaintiff,

v.

FIRST MERIT GROUP HOLDING, INC.,  
et al.,

Defendants.

Case No. 2:21-cv-00732-BJR

**STIPULATION AND ORDER TO  
EXTEND DEADLINES IN ORDER  
SETTING TRIAL DATE AND  
RELATED DATES FOR (1)  
JOINING ADDITIONAL  
PARTIES; AND (2) FILING  
AMENDED PLEADINGS**

**I. STIPULATION**

Whereas, Plaintiff HTP, Inc. and defendants First Merit Holdings Inc., Nanogen Technologies Group, Inc., Barry Lee, Anthony Dutton, and David Richardson (“Defendants”) (collectively the “Parties”) have each propounded discovery after stipulating to a model protective order and a model ESI agreement in order to facilitate collection and production of documents, and

Whereas, the Parties have exchanged ESI disclosures and conferred on producing responsive documents, and

Whereas, the Parties have worked in good faith to respond to discovery while working through complicated issues involving privilege, confidentiality, and document collection volume and anticipate making potentially significant rolling productions on one another in the future,

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which has led the Parties to agree that some limited extensions of the current case schedule are warranted in order to facilitate the orderly production of such documents and other aspects related to the first phases of discovery in this case.

4 Now, therefore, the Parties stipulate to the following modifications of the Court's Order  
5 Setting Trial Date and Related Dates as follows:

6           1. The Deadline for Joining Additional Parties is extended from July 24, 2023, until  
7 September 25, 2023.

8           2. The Deadline for Filing Amended Pleadings is extended from August 3, 2023, until  
9 October 6, 2023.

10

11 Plaintiff and Defendants stipulate that good cause exists for such a mutual extension. The  
12 parties have worked cooperatively to respond to discovery that may be pertinent to modification  
13 of the parties or claims in the case. The parties do not believe that other deadlines must be amended  
14 as a result of this stipulation.

## II. ORDER

16 Pursuant to stipulation, it is so ordered.

17 DATED this 17th day of July, 2023.

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Respectfully submitted by

By s/ Peter A. Talevich  
Philip M. Guess, WSBA # 26765

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Barbara J. Rothstein

Barbara Jacobs Rothstein  
U.S. District Court Judge

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STIPULATION AND ORDER - 3  
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